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Reproduction Act

News Release

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Government of Canada plans to introduce regulations to support the Assisted Human Reproduction Act

September 30, 2016 - Ottawa, ON - Health Canada

Some of life's greatest joys come from the experiences we encounter as a family, but some couples have difficulties expanding their families and require assistance. More and more Canadians are turning to assisted human reproduction to help build their families, and the Government of Canada is committed to helping them use these services safely, and with peace of mind.

To that end, Health Canada today announced it is intending to strengthen and clarify the regulatory framework governing assisted human reproduction in Canada.

In 2004, the Assisted Human Reproduction Act (AHR Act) was passed by the Parliament of Canada, in response to the recommendations of the Royal Commission on New Reproductive Technologies. The AHR Act was written to help protect and promote the health, safety, dignity and rights of individuals who use, or are born of assisted human reproduction.

A Supreme Court of Canada decision in 2010 found that some sections of the legislation fell under provincial jurisdiction. However, the Supreme Court left intact the key sections of the AHR Act concerning the protection of health and safety, enforcement, and the reimbursement of donors and surrogates. Regulations are needed to bring these critical sections into force.

To uphold the Government's commitment to these recommendations and ensure that the latest scientific and technological advancements are considered, Health Canada plans to:

- update the regulations for the safety of donor semen, and move them from the *Food and Drugs Act* to the AHR Act;
- develop regulations for testing and screening the donors of ova, as well as for tracing donations for the purposes of monitoring adverse events and recalls; and
- clarify eligible reimbursable expenses for parties involved in surrogacy arrangements, and semen and ova donation.

Once regulations are in place, the Department will assign inspectors to administer and enforce this important piece of legislation.

The Government encourages Canadians to read the [Notice of Intent](#) and provide their comments to the Department by November 29, 2016. At a later stage, interested stakeholders will have another opportunity to provide feedback following the pre-publication of the regulatory proposals in the *Canada Gazette*, Part I.

Quotes

"There have been major scientific advancements in these areas, which have benefitted many Canadians as they build their families. Our laws need to adapt so that they can continue to protect the health and safety of Canadians. By adopting new regulations, we will continue to ensure that the risks posed are minimized and families are supported."

Jane Philpott
Minister of Health

Quick Facts

- It is estimated that up to one in eight Canadian couples experience infertility.
- An increasing number of Canadians, including single parents and same-sex couples, are turning to assisted human reproduction procedures to help build their families.
- The AHR Act protects these Canadians by setting out prohibited activities related to assisted human reproduction that may pose significant human health and safety risks, or have been deemed to be ethically unacceptable or incompatible with Canadian values.
- The introduction of regulations under the AHR Act will uphold the Government's commitment to recommendations from the Royal Commission on New Reproductive Technologies.

Related Products

[Notice of Intent](#)

[Supreme Court 2010 Judgement](#)

[Assisted Human Reproduction Act](#)

[Reproductive Technologies: Royal Commission Final Report](#)

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[Assisted Human Reproduction](#)

Contacts

Andrew MacKendrick

Office of Jane Philpott Minister of Health
(613) 957-0200

Media Relations

Health Canada
(613) 957-2983

Public Inquiries:

(613) 957-2991
1-866 225-0709

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Hon. Jane Philpott

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Date modified:

2016-09-30

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